

## MINUTES

**TOWN OF YORKVILLE  
JOINT TOWN BOARD/PLAN COMMISSION  
TOWN BOARD ROOM  
UNION GROVE MUNICIPAL CENTER  
THURSDAY, JULY 7, 2016**

### Call to Order

Town Board Chair Peter Hansen called the meeting to order at 6:00 p.m.

### Roll Call

The following Town Board members were present: Peter Hansen, Sherry Gruhn and Terrence McMahon. The following Plan Commission members were present: Peter Hansen, Sherry Gruhn, Gary Fink, Douglas Nelson and Barbara Geschke. Robert Root and Nathan Skewes were absent. Also present were Phil Grundberg representing North Shore Spray Service, Max Zuleta and Jeanne Zuleta representing Art Below Zero, Chris Bower representing Bower Design and Construction, Michael Marema, Susan Marema, Ray Stibeck, Yorkville Stormwater Utility District Commission Chair Stephen Nelson, Clerk-Treasurer Michael McKinney and three other attendees.

### Approval of Minutes

***Motion (McMahon, Gruhn) to approve the June 27 and June 29, 2016 Town Board meeting minutes as presented, MC.***

### Approval of Financial Reports

***Motion (McMahon, Gruhn) to approve the June Town and Stormwater financial reports as presented, MC.***

### Approval of Town Invoices

***Motion (Gruhn, McMahon) to approve payment of Town invoices as presented in the amount of \$54,975.54, MC.***

### Approval of Stormwater Invoices

Hansen noted that no Stormwater invoices were presented for payment.

***No formal action was taken by the Town Board on this agenda item.***

### New and Unfinished Business – Discussion and possible action on all of the following:

**Request submitted by Sylvania Partners, LLC (on behalf of North Shore Spray Service) for occupancy approval for the property located at 1520 South Sylvania Avenue, Unit 311 (Parcel ID # 018-03-21-13-030-311) in the M-3 (Heavy Industrial) Zoning District to**

**permit occupancy of said unit at this address with office and warehouse space for a lawn and tree care business called “North Shore Spray Service”**

Phil Grundberg appeared before the Town Board and Plan Commission to discuss this application. The following information was provided on the application:

- Proposed use is occupancy of said unit at this address with office and warehouse space for a lawn and tree care business called North Shore Spray Service
- Operating hours to vary based upon client needs
- One employee to work from this facility
- Various fertilizer combinations, herbicides, insecticides and fungicides would be kept on-site. Herbicides, insecticides and fungicides would be purchased as needed and kept on company trucks or trailers, with only small quantities kept on-site (from pints to 2.5-gallon containers, depending on the product). Fertilizers would be stored in 30 to 55 gallon high-density polyethylene drums or in an occasional 275-gallon container, with usually no more than six smaller drums kept on-site at a time. Normal on-site storage would be a one-month supply, with more chemicals stored on-site during peak summer months. Material safety data sheet documentation would be available upon request.
- Outdoor parking for employee’s personal vehicle with occasional outdoor parking of work vehicles
- Indoor storage to include two trucks, two trailers (single axle, under 3,000 pounds, uncovered and outfitted with spray rigs, which include pumps, engines and hose reels) and miscellaneous tools and materials
- No other outdoor equipment or material storage

Grundberg stated that this business also treats insect, fungus and weed issues. Hansen requested that the applicant follow appropriate procedures when storing fertilizers, herbicides, insecticides and fungicides.

***Motion (Fink, Geschke) to recommend approval of the request submitted by Sylvania Partners, LLC (on behalf of North Shore Spray Service) for occupancy approval for the property located at 1520 South Sylvania Avenue, Unit 311 (Parcel ID # 018-03-21-13-030-311) in the M-3 (Heavy Industrial) Zoning District to permit occupancy of said unit at this address with office and warehouse space for a lawn and tree care business called “North Shore Spray Service”, with no conditions, MC.***

***Motion (McMahon, Gruhn) to accept the Plan Commission’s recommendation and to approve the request submitted by Sylvania Partners, LLC (on behalf of North Shore Spray Service) for occupancy approval for the property located at 1520 South Sylvania Avenue, Unit 311 (Parcel ID # 018-03-21-13-030-311) in the M-3 (Heavy Industrial) Zoning District to permit occupancy of said unit at this address with office and warehouse space for a lawn and tree care business called “North Shore Spray Service”, with no conditions, MC.***

**Public Hearing** – The Town Board and Plan Commission held a joint public hearing to hear public comment on a request submitted by Max and Jeanne Zuleta for conditional use approval for the property located at 2638 North Sylvania Avenue (Parcel ID # 018-03-21-01-002-010) in the B-3 (Commercial Service) Zoning District to permit construction of a 45-foot by 100-foot (4,500-square foot) pole building with a peak height of 25.63 feet and an eave height

of 20 feet for office space, a 20-foot by 20-foot (400-square foot) freezer, two ice cube machines, three ice block machines, forklift storage and storage for equipment for an existing ice block and sculpture business called Sculptures in Ice, Inc., dba Art Below Zero, with a master sign plan for an existing 49-foot by 9.33-foot (457.17-square foot) mural on an existing accessory building, an existing 9-foot by 7.75-foot (69.75-square foot) logo on the existing well house and a proposed mural and 12-foot by 30-foot (360-square foot) illuminated sign on the proposed pole building

Hansen opened the public hearing at 6:09 p.m.

Max and Jeanne Zuleta appeared before the Town Board and Plan Commission to discuss this application. The following information was provided on the application:

- Proposed activity is construction of a 45-foot by 100-foot (4,500-square foot) pole building with a peak height of 25.63 feet and an eave height of 20 feet for office space, a 20-foot by 20-foot (400-square foot) freezer, two ice cube machines, three ice block machines, forklift storage and storage for equipment for an existing ice block and sculpture business called Sculptures in Ice, Inc., dba Art Below Zero
- The application includes a master sign plan for an existing 49-foot by 9.33-foot (457.17-square foot) mural on an existing accessory building, an existing 9-foot by 7.75-foot (69.75-square foot) logo on the existing well house and a proposed mural and 12-foot by 30-foot (360-square foot) illuminated sign on the proposed pole building
- Proposed hours of operation would be Tuesdays through Fridays from 9:00 a.m. to 6:00 p.m. and Saturdays from 9:00 a.m. to 1:00 p.m., with customers coming to the facility on an appointment basis
- 3 full-time employees and 5 part-time employees working on-site on an as-needed basis
- Landscaping would only involve removal of several trees along North Sylvania Avenue that block visibility of the proposed sign and mural on the proposed pole building and existing well house signage

Max Zuleta noted that this business mainly serves corporate clients and special events in the Chicago and Milwaukee markets. He added that this business mainly works with ice sculptures but also produces ice cubes. He stated that the shop is located on the rear of the property away from the road. He noted that this business also uses a CNC machine for ice engraving and ice cube carving.

With no other comments forthcoming, Hansen closed the public hearing at 6:27 p.m.

**Request submitted by Max and Jeanne Zuleta for conditional use approval for the property located at 2638 North Sylvania Avenue (Parcel ID # 018-03-21-01-002-010) in the B-3 (Commercial Service) Zoning District to permit construction of a 45-foot by 100-foot (4,500-square foot) pole building with a peak height of 25.63 feet and an eave height of 20 feet for office space, a 20-foot by 20-foot (400-square foot) freezer, two ice cube machines, three ice block machines, forklift storage and storage for equipment for an existing ice block and sculpture business called Sculptures in Ice, Inc., dba Art Below Zero, with a master sign plan for an existing 49-foot by 9.33-foot (457.17-square foot) mural on an existing accessory building, an existing 9-foot by 7.75-foot (69.75-**

square foot) logo on the existing well house and a proposed mural and 12-foot by 30-foot (360-square foot) illuminated sign on the proposed pole building

***Motion (Geschke, Nelson) to recommend approval of the request submitted by Max and Jeanne Zuleta for conditional use approval for the property located at 2638 North Sylvania Avenue (Parcel ID # 018-03-21-01-002-010) in the B-3 (Commercial Service) Zoning District to permit construction of a 45-foot by 100-foot (4,500-square foot) pole building with a peak height of 25.63 feet and an eave height of 20 feet for office space, a 20-foot by 20-foot (400-square foot) freezer, two ice cube machines, three ice block machines, forklift storage and storage for equipment for an existing ice block and sculpture business called Sculptures in Ice, Inc., dba Art Below Zero, with a master sign plan for an existing 49-foot by 9.33-foot (457.17-square foot) mural on an existing accessory building, an existing 9-foot by 7.75-foot (69.75-square foot) logo on the existing well house and a proposed mural and 12-foot by 30-foot (360-square foot) illuminated sign on the proposed pole building, with no conditions, MC.***

***Motion (McMahon, Gruhn) to accept the Plan Commission's recommendation and to approve the request submitted by Max and Jeanne Zuleta for conditional use approval for the property located at 2638 North Sylvania Avenue (Parcel ID # 018-03-21-01-002-010) in the B-3 (Commercial Service) Zoning District to permit construction of a 45-foot by 100-foot (4,500-square foot) pole building with a peak height of 25.63 feet and an eave height of 20 feet for office space, a 20-foot by 20-foot (400-square foot) freezer, two ice cube machines, three ice block machines, forklift storage and storage for equipment for an existing ice block and sculpture business called Sculptures in Ice, Inc., dba Art Below Zero, with a master sign plan for an existing 49-foot by 9.33-foot (457.17-square foot) mural on an existing accessory building, an existing 9-foot by 7.75-foot (69.75-square foot) logo on the existing well house and a proposed mural and 12-foot by 30-foot (360-square foot) illuminated sign on the proposed pole building, with no conditions, MC.***

**Public Hearing** – The Town Board and Plan Commission held a joint public hearing to hear public comment on a request submitted by Bower Design and Construction (with Roseanne Fohr as current owner) for conditional use approval for the property located at 1818 South Colony Avenue (USH 45) (Parcel ID # 018-03-21-19-029-020) in the B-3 (Commercial Service) Zoning District to permit occupancy of the existing building on the site with construction and restoration office space and a design and selection studio open to the public for a business called Bower Design and Construction and to construct a 36-foot by 40-foot (1,440-square foot) addition to the rear of the existing building for additional office and design studio space and a 54-foot by 168-foot (9,072-square foot) post-frame building to the rear of the existing building for storage of construction tools and equipment with a gravel driveway extension to serve both proposed improvements

Hansen recused himself from any action or deliberation on this agenda item due to his business relationship with the applicant.

Gruhn opened the public hearing at 6:29 p.m.

Chris Bower appeared before the Town Board and Plan Commission to discuss this application. The following information was provided on the application:

- Proposed use is occupancy of the existing building on the site with construction and restoration office space and a design and selection studio open to the public for a business called Bower Design and Construction (Phase I - occupancy permitted by right under Racine County Ordinances), which would take effect immediately with occupancy planned on September 1, 2016
- Proposed activity is construction of a 36-foot by 40-foot (1,440-square foot) addition to the rear of the existing building for additional office and design studio space and a 54-foot by 168-foot (9,072-square foot) post-frame building to the rear of the existing building for storage of construction tools and equipment with a gravel driveway extension to serve both proposed improvements, which is a proposed future expansion with no definite timeline (Phase II)
- No proposed changes to the exterior finish on the existing building
- The proposed post-frame building would have a peak height of 26.16 feet and an eave height of 16.5 feet and would be constructed using earth-toned corrugated steel with a likely side property line setback of 30 feet
- Proposed hours of operation would be Mondays through Saturdays from 7:00 a.m. to 5:00 p.m.
- Eight employees would work from the site
- Signage would remain in its current location with the sign face replaced to reflect the change in ownership
- No landscaping changes planned around the existing building with minimal plantings planned around the proposed buildings
- Customer and employee parking and lighting would be added behind the existing building under the Phase II plan
- Limited daily construction equipment traffic to and from the property

Bower noted that his application to rezone the rear of the property to allow for future expansion beyond that included in this application was denied by the Racine County Economic Development and Land Use Planning Committee. Bower, the Town Board and Plan Commission discussed drainage issues on the property. Gruhn noted that the Town's engineer strongly recommended that a wetland delineation be completed on the property before any development take place. Bower stated that the wetlands on the property are man-made, adding that this property and surrounding properties have been filled in over time. He added that he would prefer to have someone provide evidence that there are wetlands on the property without having an actual delineation done. He noted that expansion may become cost-prohibitive if it would require the installation of stormwater facilities.

A representative of Joseph Swik, Jr. spoke in opposition to this proposal, noting that local drainage issues are having a greater impact on surrounding properties than in the past. She added that the property owned by Mr. Swik is becoming more inaccessible every year due to drainage issues. She expressed concerns over what will happen if drainage issues in the area are not addressed while the development that caused these drainage issues continues to occur.

Bower noted that the drainage issues on this property could be the result of a broken tile, adding that this issue could be investigated further when the proposed roundabout is installed at the intersection of North Colony Avenue (USH 45) and Spring Street (CTH C). Nelson stated that this drainage issue is the result of local development patterns and the environment.

Nelson recused himself from any action or deliberation on this agenda item due to his personal and business relationship with the applicant.

Michael Marema spoke in opposition to this proposal, noting that water appears to be backing up onto neighboring properties more frequently, which is an issue that must be resolved. He stated that the proposed post-frame building would also impact his ability to receive his internet signal from the grain silos to the north.

Gruhn noted that the entire area should have a drainage plan to help alleviate drainage issues.

With no other comments forthcoming, Gruhn closed the public hearing at 7:05 p.m.

**Request submitted by Bower Design and Construction (with Roseanne Fohr as current owner) for conditional use approval for the property located at 1818 South Colony Avenue (USH 45) (Parcel ID # 018-03-21-19-029-020) in the B-3 (Commercial Service) Zoning District to permit occupancy of the existing building on the site with construction and restoration office space and a design and selection studio open to the public for a business called Bower Design and Construction and to construct a 36-foot by 40-foot (1,440-square foot) addition to the rear of the existing building for additional office and design studio space and a 54-foot by 168-foot (9,072-square foot) post-frame building to the rear of the existing building for storage of construction tools and equipment with a gravel driveway extension to serve both proposed improvements**

Geschke stated that the drainage issues should be addressed but added that it was not necessary to require a wetland delineation as part of that process. Michael Marema noted that there has been an identified wetland on this property for years. Nelson stated that he felt that the wetlands on this property were not true wetlands, adding that Bower should be able to find a way to improve drainage on the property. Gruhn stated that she had concerns regarding runoff from the proposed development. Bower stated that the area around the proposed expansion would be filled in with gravel instead of asphalt or concrete. Ray Stibeck stated that the Town Board should hold a separate meeting with property owners to discuss this issue further.

McKinney noted that the Plan Commission could only make an informal recommendation and not a formal motion recommending action on this application due to the lack of a quorum resulting from Hansen's and Nelson's recusals. McMahan recommended that Nelson not recuse himself as he felt that Nelson's relationship with the applicant was not significant enough to warrant recusal. Nelson unrecused himself and rejoined the Town Board and Plan Commission meeting.

***Motion (Geschke, Fink) to recommend approval of the request submitted by Bower Design and Construction (with Roseanne Fohr as current owner) for conditional use approval for the property located at 1818 South Colony Avenue (USH 45) (Parcel ID # 018-03-21-19-029-020) in the B-3 (Commercial Service) Zoning District to permit occupancy of the existing building on the site with construction and restoration office space and a design and selection studio open to the public for a business called Bower Design and Construction and to construct a 36-foot by 40-foot (1,440-square foot) addition to the rear of the existing building for additional office and design studio space and a 54-foot by 168-foot (9,072-square foot) post-frame building to the***

**rear of the existing building for storage of construction tools and equipment with a gravel driveway extension to serve both proposed improvements, with the following conditions:**

- ***That the Town of Yorkville will not require a wetland delineation on this property***
- ***That the applicant appears before the Yorkville Town Board and Plan Commission to discuss their upcoming improvement plans before proceeding with any portion of Phase II of this proposal, MC.***

***Motion (McMahon, Gruhn) to accept the Plan Commission's recommendation and to approve the request submitted by Bower Design and Construction (with Roseanne Fohr as current owner) for conditional use approval for the property located at 1818 South Colony Avenue (USH 45) (Parcel ID # 018-03-21-19-029-020) in the B-3 (Commercial Service) Zoning District to permit occupancy of the existing building on the site with construction and restoration office space and a design and selection studio open to the public for a business called Bower Design and Construction and to construct a 36-foot by 40-foot (1,440-square foot) addition to the rear of the existing building for additional office and design studio space and a 54-foot by 168-foot (9,072-square foot) post-frame building to the rear of the existing building for storage of construction tools and equipment with a gravel driveway extension to serve both proposed improvements, with no additional conditions beyond those recommended by the Plan Commission, MC.***

Upon the conclusion of discussion and action on this agenda item, Hansen rejoined the Town Board and Plan Commission meeting.

**Request submitted by Ray Stibeck for site plan approval for the properties located at 14001, 14007 and 14015 Washington Avenue (STH 20), the vacant lot between 734 South Sylvania Avenue and 904 South Sylvania Avenue, and the vacant lot between 910 South Sylvania Avenue and 1300 Grandview Parkway (Parcel ID #'s 018-03-21-13-014-010, 018-03-21-13-010-020, 018-03-21-13-014-020, 018-03-21-13-010-040 and 018-03-21-13-008-000) in the B-2 (Community Business) and B-3 (Commercial Service) Zoning Districts to permit a one-day live outdoor music event on these properties on Saturday, September 10, 2016, starting after noon and running until midnight, with loud music ending at 11:30 p.m.**

Ray Stibeck appeared before the Town Board and Plan Commission to discuss this application. The following information was provided on the application:

- Proposed use is a one-day live outdoor music event on the subject properties on Saturday, September 10, 2016, starting at or after noon and running until midnight, with loud music ending at 11:30 p.m.
- Security to be provided by the applicant and by Racine County Sheriff's Department personnel
- Temporary bathroom facilities to be provided for the event
- Off-street parking facilities to be provided primarily on the two large vacant parcels in the site plan area, with attendants directing traffic to and from these parking areas
- The portion of the private access road along the three northern subject properties to be closed to through traffic during this event

- Portable light towers to be brought in to provide lighting for the event and parking areas
- Alcohol sales and consumption to occur inside a designated area that is only accessible to those patrons 21 years of age and older
- Patrons must be at least 18 years old to enter the event unless otherwise accompanied by a parent
- Food, craft and apparel vendors to be present at the event
- Expected total attendance for this event to be 1,500 people

Stibeck discussed issues stemming from last year's event due to the Racine County Economic Development and Land Use Planning Committee's denial of his request to hold that event. He stated that he had a lease agreement for use of the neighboring vacant properties and a letter of support for this event from Real Racine.

***Motion (Fink, Geschke) to recommend approval of the request submitted by Ray Stibeck for site plan approval for the properties located at 14001, 14007 and 14015 Washington Avenue (STH 20), the vacant lot between 734 South Sylvania Avenue and 904 South Sylvania Avenue, and the vacant lot between 910 South Sylvania Avenue and 1300 Grandview Parkway (Parcel ID #'s 018-03-21-13-014-010, 018-03-21-13-010-020, 018-03-21-13-014-020, 018-03-21-13-010-040 and 018-03-21-13-008-000) in the B-2 (Community Business) and B-3 (Commercial Service) Zoning Districts to permit a one-day live outdoor music event on these properties on Saturday, September 10, 2016, starting after noon and running until midnight, with loud music ending at 11:30 p.m., with no conditions, MC.***

***Motion (Gruhn, McMahon) to accept the Plan Commission's recommendation and to approve the request submitted by Ray Stibeck for site plan approval for the properties located at 14001, 14007 and 14015 Washington Avenue (STH 20), the vacant lot between 734 South Sylvania Avenue and 904 South Sylvania Avenue, and the vacant lot between 910 South Sylvania Avenue and 1300 Grandview Parkway (Parcel ID #'s 018-03-21-13-014-010, 018-03-21-13-010-020, 018-03-21-13-014-020, 018-03-21-13-010-040 and 018-03-21-13-008-000) in the B-2 (Community Business) and B-3 (Commercial Service) Zoning Districts to permit a one-day live outdoor music event on these properties on Saturday, September 10, 2016, starting after noon and running until midnight, with loud music ending at 11:30 p.m., with no conditions, MC.***

**Request submitted by Maria Vargas (with Israel Vargas as agent) for site plan approval for the property located at 3400 South Sylvania Avenue (Parcel ID # 018-03-21-25-007-010) in the B-5 (Highway Business) Zoning District to permit up to 12 outdoor events from July 22, 2016 through July 22, 2017 on the property, such as car shows, multi-breed dog shows, music festivals and rodeos**

The applicant did not appear before the Town Board and Plan Commission to discuss this application. The following information was provided on the application:

- Proposed use is to hold up to 12 outdoor events from July 22, 2016 through July 22, 2017 on the property, including car shows, multi-breed dog shows, music festivals and rodeos



- Notification would be provided to the Racine County Sheriff's Department for each event where attendance is anticipated to exceed 200 and the Racine County Sheriff's Department would be used as the head of security during such events
- At least one security officer would be present for each 100 attendees at each event, with security patrolling both the event and parking areas
- At least three security staff would be in the parking lot and a total of ten security staff would be on site for events that are expected to draw at least 800 people
- Additional restroom and off-street parking facilities would be provided for each event
- Several food vendors would be set up inside the event area
- Bulls would be kept within a bullring during rodeos
- Dog shows would be conducted within a show ring, with dogs either leashed or crated while kept on the premises during these shows and required to be current on their rabies vaccinations before being allowed on the premises. Aggressive dogs would not be permitted on the premises
- Events would end at 11:00 p.m. on Fridays and Saturdays and 9:00 p.m. on Sundays

The Town Board and Plan Commission discussed various conditions to include with any approval of this application, including the following: the number of events to be allowed, ending times of events, Town and Racine County Sheriff's Department notification of when events will occur, liability insurance requirements, emergency medical personnel requirements, security requirements, alcohol consumption and sales limitations, event management and supervision, holding tank maintenance, parking facilities and bathroom facilities.

Hansen noted that the security plan provided with the application was vague. Stibeck raised concerns over why he is required to apply for a site plan review for each event he holds while the applicant can apply for a site plan that allows for 12 events without having to come for approval of each event, especially given the issues that the applicant has had at past events. Hansen noted that Racine County is requiring that Stibeck submit an application for each event and added that the applicant must still get a zoning permit before holding each event.

Fink stated that the applicant should be present for this meeting and recommended that the Town Board and Plan Commission include a condition of approval stating that the applicant be required to appear each time an application is submitted for their approval. He also recommended that the Town establish a policy requiring that all applicants appear before the Town Board and Plan Commission before having their applications acted on. Geschke stated that the applicant should be required to submit applications in a timely fashion so that all periods within the year are covered under this approval.

***Motion (Fink, Nelson) to recommend approval of the request submitted by Maria Vargas (with Israel Vargas as agent) for site plan approval for the property located at 3400 South Sylvania Avenue (Parcel ID # 018-03-21-25-007-010) in the B-5 (Highway Business) Zoning District to permit up to 12 outdoor events from July 22, 2016 through July 22, 2017 on the property, such as car shows, multi-breed dog shows, music festivals and rodeos, with the following conditions:***

- *That a maximum of 12 outdoor events, such as car shows, multi-breed dog shows, music festivals and rodeos, be permitted between July 22, 2016 through July 22, 2017*
- *That events end no later than 11:00 p.m. on Fridays and Saturdays and 9:00 p.m. on Sundays*
- *That the applicant notify the Town of Yorkville at least three weeks in advance of any event being held*
- *That the applicant notify the Racine County Sheriff's Department at least three weeks in advance of each event where attendance is anticipated to exceed 200*
- *That the Racine County Sheriff's Department and the Union Grove-Yorkville Fire Department be notified by the Clerk-Treasurer in advance of all events*
- *That the applicant provide a certificate of liability insurance for the property to the Town of Yorkville before July 22, 2016*
- *That an ambulance and certified paramedic be on-site for the duration of each rodeo event until such time as the event is concluded*
- *That emergency medical personnel be on-site for the duration of each event until such time as the event is cleared of event attendees*
- *That a minimum of four uniformed Racine County Sheriff's Department deputies be present during all rodeo and music events where attendance is not anticipated to exceed 1,000 attendees*
- *That a minimum of six uniformed Racine County Sheriff's Department deputies be present during all rodeo and music events where attendance is anticipated to exceed 1,000 attendees*
- *That at least one security guard be present for every 100 anticipated attendees during all events, with security guards patrolling both the event and parking areas*
- *That alcohol not be consumed or sold during each event in areas outside of the described premises on the current alcohol license*
- *That event attendees under the age of 21 not be permitted in areas where alcohol is sold or consumed*
- *That alcohol not be sold in quantities of more than two 12-ounce drinks per patron per visit to the area where alcohol is sold from the beginning of each event to 30 minutes preceding the scheduled end of each event*
- *That alcohol not be sold at all in the 30 minutes preceding the scheduled end of each event*
- *That the applicant personally provide management and supervision of each event*
- *That both holding tanks be pumped on a regular basis to prevent any future alarms, especially before any scheduled events*
- *That appropriate bathroom and off-street parking facilities be provided for each event, MC.*

***Motion (McMahon, Gruhn) to accept the Plan Commission's recommendation and to approve the request submitted by Maria Vargas (with Israel Vargas as agent) for site plan approval for the property located at 3400 South Sylvania Avenue (Parcel ID # 018-03-21-25-007-010) in the B-5 (Highway Business) Zoning District to permit up to 12 outdoor events from July 22, 2016 through July 22, 2017 on the property, such as car shows, multi-breed dog shows, music festivals and rodeos, with no additional conditions beyond those recommended by the Plan Commission, MC.***

## **Annual Special Event Permit application submitted by Israel Vargas for Homerun Heaven, 3400 South Sylvania Avenue**

***Motion (Hansen, McMahon) to grant an annual Special Event Permit to Israel Vargas for Homerun Heaven, 3400 South Sylvania Avenue, with no conditions, MC.***

### **Collection and Recycling Site issues**

Hansen stated that he spoke to the collection and recycling site manager recently, who indicated that a large number of televisions have been dropped off at the collection site in recent weeks and are being brought in faster than they can be disposed of. The Town Board and Plan Commission discussed several television disposal options, including eliminating collection at the collection site, having residents take their televisions directly to the Waste Management facility in Dover, having televisions collected by ASDA at the collection site at a cost of \$850.00 per ton or \$35.00 per television, and having ASDA go to individual residences to collect televisions at a cost of \$50.00 per television. They discussed how to notify residents of any future changes that are made, such as on the Town's website or in the fall newsletter. They discussed placing limits on the number of televisions that would be accepted per household and whether the Town should host television collection events every year.

The Town Board requested that McKinney contact ASDA regarding whether ASDA would hold television collection events at the collection and recycling site twice per year. The Town Board also requested that McKinney contact the Village of Union Grove regarding the electronic collection event they hold each year. McKinney noted that ASDA also made him aware of increasing numbers of tractor tires dropped off for disposal at the collection site, which typically cost between \$90.00 and \$110.00 per tire to process. McMahon stated that tractor tires should not be accepted at the collection site, since those tires are used on equipment that serves a business purpose. The Town Board requested that McKinney contact ASDA to find out whether there is a size limit on tires that they prefer to collect.

***No formal action was taken by the Town Board on this agenda item.***

### **10<sup>th</sup> Avenue milling and repaving quote from the Racine County Public Works Department**

Hansen noted that the original estimate for milling and repaving 10<sup>th</sup> Avenue did not include two small stretches of 10<sup>th</sup> Avenue that are shared with the Village of Union Grove. He stated that the Racine County Public Works Department is putting together an updated estimate that includes these sections, which will be provided at the next Town Board meeting.

***No formal action was taken by the Town Board on this agenda item.***

### **Windows 10 and/or computer upgrade expenses**

McKinney noted that he has received offers from Microsoft to upgrade to the Windows 10 operating system for free. He added that, while the upgrade would be free, the cost of having the Town's computer support provider upgrade the Town's four computers to the new operating system would be approximately \$1,000. He noted that one of the Town's software providers has requested that the Town upgrade to Windows 10 but added that no one has

required it. He stated that the Town's computer support provider has recommended that the Town refrain from updating the existing computers and purchase new computers instead, as the four office computers are between four and eight years old and are due for replacement. The Town Board agreed and opted to purchase new computers in the future with Windows 10 preinstalled rather than to upgrade the existing computers now.

***No formal action was taken by the Town Board on this agenda item.***

## Reports

**Code Enforcement Officer's Report:** The Code Enforcement Officer was not present to provide his report to the Town Board.

**Building Inspector's Report:** McKinney noted that the Building Inspector's report was not included in the packet provided to the Town Board for their review.

**Engineer's Report:** The Engineer was not present to provide his report to the Town Board.

**Yorkville Stormwater Utility District Report:** Stephen Nelson noted that vegetation spraying of the East Branch of the Root River Canal is ongoing.

**Clerk's Report:** McKinney reported to the Town Board on the following:

- That two certified survey map applications for the properties located at 2945 Forest View Circle and 1909 53<sup>rd</sup> Drive will likely appear on the Monday, August 8, 2016 joint Town Board/Plan Commission meeting agenda
- That he was contacted by the owner of the property located at 2222 53<sup>rd</sup> Drive regarding ongoing enforcement issues between the property owner and the Racine County Development Services Department. He stated that the property owner asked him if the Town would be open to rezoning a portion of the property from agricultural to manufacturing to permit the storage of multiple vehicles and other pieces of equipment, which would also require a land use plan amendment and a conditional use permit. The Town Board and Plan Commission stated that, since this was a County enforcement issue, they would not take a stance on this request and felt that the property owner should work with Racine County first to resolve this issue.
- That he received a Special Event Permit application for a birthday party to be held on the property located at 20614 Spring Street (CTH C) on July 23. He noted that he informed the applicant that birthday parties do not require Town approval before being held.
- That he will be out of the office next week while attending a conference in Green Bay

## Other – Comments, questions and suggestions

No comments, questions or suggestions were provided.

## Adjournment

***Motion (Nelson, Fink) to adjourn, MC.*** The meeting was adjourned at 8:32 p.m. The next scheduled Town Board meeting is Monday, July 25, 2016, at 6:00 p.m.

Michael McKinney  
*Clerk-Treasurer*